

ARREST



HBID ARREST NUMBER: 14-0226

DEFENDANT(S) NAME **DOB**
Southern, David Michael 03/05/70

6801 Hollywood Blvd. #169
Hollywood, Ca. 90028 (323) 465-
0122

ARREST CODE	DATE	TIME
41.27 (c) L.A.M.C.	03/14/14	1100 Hours
OFFICER:	Ramirez, H. #139	
OFFICER:	Anderson, D. #127	
OFFICER:	Trujillo, R. #139	
OFFICER:	Rosales, S. #115	

SOURCE OF ACTIVITY:

On Friday, March 14, 2014 at approximately 1100 hours, my partners (Officer Anderson #127, Trujillo #136 and Rosales #115) and I (Officer Ramirez #139) were assigned to the Bicycle Team as B-2 and B-6. We were working as contracted, uniformed security officers for the Hollywood Business Improvement District (H.B.I.D.) / Andrews International 6801 Hollywood Boulevard Hollywood, CA. 90028 (323) 465-0122.

INVESTIGATION:

While in the area of the 6500 block of Yucca Street, we observed a M/B/A leaning up against a 6-foot cinderblock wall of an apartment building located at 6550 Yucca Street. The subject (later identified as; Southern, David Michael D.O.B. 03/05/70) was holding a light blue plastic bag which appeared to contain a round container inside of it.

Believing that the container was possibly an alcoholic beverage, we decided to conduct a stationary surveillance. I (Officer Ramirez) positioned myself directly across the street and slightly east of him behind a wrought fence. I had a clear and unobstructed view of his activity. Furthermore, my partners positioned themselves at a pre-designated area and out of his view. I kept in contact with them via my portable radio.

While conducting the stationary surveillance, I saw Southern looking up and down Yucca Street. Southern then unscrewed the top of a clear bottle that contained a yellowish liquid substance with a small layer of white foam on top. Southern raised the bottle to his lips, tilted his head back and took a drink from the container and screwed its top back on.

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Afterwards, he lowered the bag down to his right side and slowly began to walk away from the area carrying the bag with his right hand. Based on my observations of Southern's activity along with my training and experience, I believed that Southern had just consumed a liquid substance from an alcoholic beverage.

To investigate further, I communicated my observations via my portable radio to officer's Anderson, Trujillo and Rosales and directed them to the area where Southern was heading. Meanwhile, I kept a constant "eye" on him until he was contacted. Officer Trujillo contacted Southern and asked him what he was drinking and he replied, ***"a beer, its in my bag,"*** Officer Trujillo asked if he could look in the bag and he said replied ***"yeah go ahead."***

As I pulled up, I saw Officer Trujillo recovered a ***40-ounce "Miller High Life" beer bottle with 4.6% alcohol by volume.*** I noticed that the bottle was almost full, its sealed had been broken and cold to the touch.

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We advised Southern that we were placing him under "Private Person's Arrest", as per 837 Penal Code - (Private Person's Arrest - Authority To Arrest / see attached for) for 41.27 (c) Los Angeles Municipal Code - (Drinking in public).

B.I.D. Officer Sterling and Sergeant Patten responded to our location for transportation. Anderson then escorted Southern to their B.I.D car, sat him in the left rear passenger seat, and adjusted his seatbelt.

ADDITIONAL:

Southern has thirteen **(13)** prior contact/arrests with B.I.D.

Southern indicated that he purchased the beer from Yucca Market on Cahuenga.

CITE and RELEASE:

Sterling and Patten transported Southern to the L.A.P.D. Hollywood Station. Southern's identification was confirmed by Desk Officer Franco #39639. Southern was issued a "Release From Custody citation (RFC# D15590) for the listed violation and was ordered to appear at the Metropolitan Court House, 1945 South Hill Street, Los Angeles, 90007, on 04/21/14, at 0830 Hours with the approval of the Watch Commander Sergeant Fidel.

EVIDENCE:

The remaining beer in the 40-ounce "Miller High Life" bottle was disposed at

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the scene by Officer Anderson in the presence of Southern.

PICTURE(S):



INJURY AND MEDICAL TREATMENT:

None reported or observed

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